

Re : Amendment and Response Office Action Mailed August 26, 2005
Appl. No. : 10/726,797
Filed : December 13, 2003

II. REMARKS

The Office Action allowed Claims 12-20; rejected Claims 1-3, 7-8 and 10-11; and objected to Claims 4-6 and 9 as being dependent upon a rejected base claim, but stated that these claims would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

As set forth above, Applicants amended Claim 1; cancelled Claim 10 without prejudice; and added new Claims 21-24 to further clarify, define and/or broaden the claimed invention, and expedite receiving a Notice of Allowance. Pursuant to 37 C.F.R. § 1.121(f), no new matter is introduced by these amendments or new claims. Applicants believe that Claims 1-9 and 11-24 are now in condition for allowance.

Please note that Applicants' remarks are presented in the order in which the issues were raised in the Office Action for the convenience and reference of the Examiner. In addition, Applicants request that the Examiner carefully review any references discussed below to ensure that Applicants' understanding and discussion of the references, if any, is consistent with the Examiner's.

Further, the following remarks are not intended to be an exhaustive enumeration of the distinctions between any particular reference and the claimed invention. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claimed invention and that reference.

Re : Amendment and Response Office Action Mailed August 26, 2005
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A. Response to the Objection to the Drawings

The Office Action stated that the drawings are objected to under 37 C.F.R. § 1.83. In particular, the Office Action stated that the drawings must show every feature of the invention specified in the claims. The Office Action stated that the bracket stops must be shown or the feature(s) cancelled from the claim(s).

Applicants respectfully traverse this rejection because the bracket stops are either shown in the drawings and/or described in the specification. However, in order to expedite receiving a Notice of Allowance, Applicants cancelled Claim 10 (which recites “a stop that is sized and configured to restrict the movement of the drawer within the chamber”) without prejudice. Accordingly, Applicants respectfully request that this objection to the drawings be withdrawn.

B. Response to the Objection to the Specification

The Office Action stated that the disclosure is objected to because, in the first sentence of the specification, the co-pending information should be updated to state that the case is now abandoned.

Applicants amended the first sentence of the specification to indicate that United States Patent Application Serial No. 10/727,073 is now abandoned. Consequently, Applicants respectfully request that this objection to the specification be withdrawn.

C. Response to the Rejection under Section 102(e)

The Office Action rejected Claims 1-3, 7 and 11 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,877,826 issued to Wood, et al. The Office Action contended that the Wood

Re : Amendment and Response Office Action Mailed August 26, 2005
Appl. No. : 10/726,797
Filed : December 13, 2003

patent teaches a table (Fig. 23) comprising: a plastic table top (32, 33) with a lip (64, 39), a pair of spaced apart L-shaped brackets (67/90, bases 94/97) integrally formed with the bottom of the table top and defining a chamber there between, a drawer (31) sized and slidably disposed in the chamber (upper portion thereof); and a pair of legs (56) connected to the table top.

Applicants respectfully traverse this rejection because, *inter alia*, the Wood patent does not disclose each and every limitation of Claims 1-3, 7 or 11. Nevertheless, to further clarify, define and/or broaden the claimed invention, and expedite receiving a Notice of Allowance, Applicants amended Claim 1 to provide “a pair of spaced apart generally L-shaped brackets extending outwardly from the bottom portion of the table top, at least a portion of the generally L-shaped brackets being constructed from plastic and being integrally formed with the table top as part of a unitary, one-piece structure, the portion of the generally L-shaped brackets constructed from plastic including a hollow interior portion, the brackets and the bottom portion at least partially defining a chamber.” Thus, Claim 1 now positively recites that the pair of spaced apart generally L-shaped brackets extend outwardly from the bottom portion of the table top, at least a portion of the generally L-shaped brackets are constructed from plastic and are integrally formed with the table top as part of a unitary, one-piece structure, **the portion of the generally L-shaped brackets constructed from plastic includes a hollow interior portion.**

In contrast, the Wood patent does **not** disclose a pair of spaced apart generally L-shaped brackets extend outwardly from the bottom portion of the table top, at least a portion of the generally L-shaped brackets being constructed from plastic and being integrally formed with the table top as part of a unitary, one-piece structure, and **the portion of the generally L-shaped brackets constructed**

Re : Amendment and Response Office Action Mailed August 26, 2005
Appl. No. : 10/726,797
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from plastic including a hollow interior portion. Accordingly, because the Wood patent does not disclose each and every limitation of Claim 1, Applicants respectfully request that this section 102(e) rejection be withdrawn. Further, Applicants respectfully request that the rejection of Claims 2-3, 7 and 11 also be withdrawn at least because these claims are dependent upon Claim 1.

D. Response to the Rejections under Section 103(a)

The Office Action rejected Claims 1-3, 7, 8 and 11 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,887,536 issued to Teichner. The Office Action contended that the Teichner patent teaches a table (Fig. 4) comprising: a plastic table top (20, 22) with lip having a notch, a pair of spaced apart L-shaped brackets (76; vertical and lower horizontal base members together) attached to the bottom of the table top and defining a chamber there between, a drawer (72) sized and slidably disposed in the chamber (upper portion thereof) and through the notch when desired; and a pair of legs (56) connected to the table top. The Office Action noted that, for Claim 1, the Teichner patent fails to teach that the brackets are integrally formed with the table top. However, the Office Action asserted that it is well known in the art to modify a structure so that formerly separate parts thereof are formed integrally together. The Office Action therefore concluded it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the table of the Teichner patent by integrally forming the brackets with the table top (the top horizontal member being integrally formed with the bottom of the table top leaving L-shaped depending members), to simplify assembly of the table.

The Office Action rejected Claim 10 under 35 U.S.C. 103(a) as being unpatentable over the

Re : Amendment and Response Office Action Mailed August 26, 2005
Appl. No. : 10/726,797
Filed : December 13, 2003

Wood patent in view of U.S. Patent No. 4,628,185 issued to Norwood, et al. The Office Action stated that the Wood patent teaches the limitations of Claim 1, including brackets supporting a drawer. The Office Action noted that, for claim 10, the Wood patent fails to teach that the brackets include stops therein. The Office Action stated that the Norwood patent teaches the use of mating stops (60, 110) between a sliding member and bracket to limit movement of the member within the bracket. The Office Action concluded that it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the bracket and drawer of the Wood patent by adding mating stops (such as is taught by the Norwood patent) there between, for the advantage stated above.

The Office Action also rejected Claim 10 under 35 U.S.C. 103(a) as being unpatentable over the Teichner patent in view of the Norwood patent. The Office Action stated that the Teichner patent teaches the limitations of Claim 1, including brackets supporting a drawer. The Office Action noted that, for claim 10, the Teichner patent fails to teach that the brackets include stops therein. The Office Action stated that the Norwood patent teaches the use of mating stops (60, 110) between a sliding member and bracket to limit movement of the member within the bracket. The Office Action concluded that it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the bracket and drawer of the Teichner patent by adding mating stops, such as is taught by the Norwood patent, there between, for the advantage stated above.

Applicants respectfully traverse these rejections because, *inter alia*, the Teichner, Wood and Norwood patents, either alone or in combination, do not teach, suggest or disclose each and every limitation of Claims 1-3, 7, 8, 10 or 11. Nevertheless, to further clarify, define and/or broaden the

Re : Amendment and Response Office Action Mailed August 26, 2005
Appl. No. : 10/726,797
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claimed invention, and expedite receiving a Notice of Allowance, Applicants amended Claim 1 to provide “a pair of spaced apart generally L-shaped brackets extending outwardly from the bottom portion of the table top, at least a portion of the generally L-shaped brackets being constructed from plastic and being integrally formed with the table top as part of a unitary, one-piece structure, the portion of the generally L-shaped brackets constructed from plastic including a hollow interior portion, the brackets and the bottom portion at least partially defining a chamber.” Thus, Claim 1 now positively recites that the pair of spaced apart generally L-shaped brackets extend outwardly from the bottom portion of the table top, at least a portion of the generally L-shaped brackets are constructed from plastic and are integrally formed with the table top as part of a unitary, one-piece structure, **the portion of the generally L-shaped brackets constructed from plastic includes a hollow interior portion.**

The Teichner, Wood and Norwood patents, either alone or in combination, do **not** teach, suggest or disclose a pair of spaced apart generally L-shaped brackets extend outwardly from the bottom portion of the table top, at least a portion of the generally L-shaped brackets being constructed from plastic and being integrally formed with the table top as part of a unitary, one-piece structure, **the portion of the generally L-shaped brackets constructed from plastic including a hollow interior portion.** Accordingly, because the Teichner, Wood and Norwood patents do not teach, suggest or disclose each and every limitation of Claim 1, Applicants respectfully request that this rejection of Claim 1 be withdrawn. Further, Applicants respectfully request that the rejection of Claims 2-3, 7-8 and 11 also be withdrawn at least because these claims are dependent upon Claim 1.

Re : Amendment and Response Office Action Mailed August 26, 2005
Appl. No. : 10/726,797
Filed : December 13, 2003

E. Allowable Subject Matter

The Office Action stated that Claims 4-6 and 9 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, Applicants added new Claims 21-24, which are original Claims 4-6 and 9 rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, Applicants respectfully submit that Claims 21-24 are allowable.

CONCLUSION

In view of the foregoing, Applicants submit that Claims 1-9 and 11-24 are allowable over the cited references and are in condition for allowance. Accordingly, Applicants request that a Notice of Allowance be promptly issued.

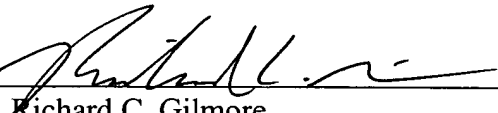
If any further impediments to allowance of this application remain, the Examiner is cordially invited to contact the undersigned by telephone so that these remaining issues may be promptly resolved.

Re : Amendment and Response Office Action Mailed August 26, 2005
Appl. No. : 10/726,797
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The Commissioner is authorized to charge payment of any additional fees associated with this communication, which have not otherwise been paid, to Deposit Account No. 23-3178. If any additional extension of time is required, which have not otherwise been requested, please consider this a petition therefore and charge any additional fees that may be required to Deposit Account No. 23-3178.

Respectfully submitted,

Dated: 12-27-05

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